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SP 1603

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Kunz et al. Confirmation No.: 1690
Application No.: 09/910,388 Art Unit: 1653
Filed: July 20, 2001 Examiner: Robinson, Hope A.
For: THERAPEUTIC INHIBITOR OF VASCULAR SMOOTH MUSCLE CELLS Attorney Docket No.: 10177-211-999

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby respond to the restriction requirement imposed in the Office Action mailed October 2, 2003 in connection with the above-identified application. Applicants submit that this response is timely filed.

Claims 1-20 are pending in this application.

The Examiner required restriction under 35 U.S.C. § 121 to one of the following inventions:

- Group I Claims 1-11, drawn to a method for inhibiting one or more pathological activities of normal mammalian vascular smooth muscle;
- Group II Claims 12-18, drawn to a method for inhibiting one or more pathological activities of normal mammalian vascular smooth muscle; and
- Group III Claims 19-20, drawn to a method for inhibiting one or more pathological activities of normal mammalian vascular smooth muscle.

The Examiner contends that each of Groups I to III is distinct from the other Groups.


Accordingly, Applicants elect to prosecute the subject matter of Group II, claims 12-18, in this application. Applicants fully reserves the right to prosecute the subject matter of the non-elected claims in one or more related applications.

No fee is believed due. However, should any fee be required, please charge all such fees to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Respectfully submitted,



Date: October 28, 2003

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